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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,386	11/10/2000	Thomas Anthony Stahl	RCA88884	3550
24498	7590	08/24/2005	EXAMINER	
THOMSON LICENSING INC. PATENT OPERATIONS PO BOX 5312 PRINCETON, NJ 08543-5312			NGUYEN, HUY THANH	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/582,386

**Applicant(s)**

STAHL, THOMAS ANTHONY

**Examiner**

HUY T. NGUYEN

**Art Unit**

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Komeno (6,351,599) in view of Stahl et al (6,665,020).

Regarding claims 1 and 3, Komeno discloses a method for operating a digital video player (14) interconnected by a digital bus to a digital video processing apparatus (11), the digital video processing apparatus performing the steps, of

receiving from a digital video player a program content stream representative of a programmed event, said program content stream including data in a compressed format (column 4, lines 1-11) (column 3, line 65 to column 4, line 11).

decoding (13) said program content stream in said digital apparatus to generate a suitable display image ;

receiving from said digital video player bit-map data representative of a subpicture (menu information) associated with said program content stream (menu), the bit-map data being suitable for display said bit-map data received from said digital video disc player (column 4, lines 1-11); and combining (12d,12a) the decoded program content stream and bitmap subpicture data to produce a signal representative of a

Art Unit: 2616

combined image suitable for display (column 3, lines 5-31(column 5, line 60 to column 6, line 15).

Komeno fails to teach that the compressed data is expanded in the digital processing apparatus and the program content and bitmap are transmitted to the processing apparatus by a first type mechanism and second type mechanism respectively .

Stahl teaches a player connected to a TV (processing apparatus ) (Figs 2,5), the compressed program content is transmitted to a TV by a first type mechanism and is expanded by a expanding means (MPEG decoder) in the TV and bitmap menu information OSD from the Player is transmitted to the TV by a second type mechanism (column 8, lines 1-15). It would have been obvious to one of ordinary skill in the art to modify Komeno with Stahl by using the teaching of Stahl to provide a expanding means in TV for receiving the compressed program content from the disc player and using a first type mechanism and second type mechanism as taught by Stahl for transferring the compressed program content and bitmap stream from th4 disc player to the TV thereby enhancing the capacity of the TV and reduce an amount of processing data performed by the disc player .

Regarding claims 2 and 4 , Komeno as modified with Stahl further teaches updating the subpicture data since the subpicture data comprises the subtitle and information related to the program can be generated under user control (See Stahl column 8, lines 25-65) .

Regarding claims 8 and 9, , Komeno as modified with Stahl further teaches using a 1334 bus having isochronous and asynchronous mechanisms for transferring the program content and bit map subpicture data (See Stahl column 2, lines 60 to column 3, line 11, column 8, lines 1-15).

3. Claims 5, 7 and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Komeno (6,351,599) in view of Stahl and Yanagihara et al (6,211,800) .

Regarding claims 5 and 10, Komeno discloses a method for operating a digital video disc player (11) interconnected by a digital bus to a digital video processing apparatus (TV 12, Fig. 1-2) , the digital video processing apparatus performing the steps of:

(receiving from a digital video disc player a MPEG PS ( stored on DVD) through a first channel (column 3, line 65 to column 4, line 11);

receiving from said digital video disc player bit-map data representative of a subpicture (menu) associated with said program content stream through a second channel , said bit-map data being suitable for display said bit-map data received from said digital video disc player (column 5, lines 60 to column 6, line 15).

Komeno fails to teach that the MPEG PS is converting to a MPEG TS and transferring the MPEG-TS through an isochronous channel .

Yanagihara teaches a digital disc player having a converter for converting a MPEG PS to a MPEG TS through an isochroous channel (Fig. 5, column 6, lines 14-20).

It would have been obvious to one of ordinary skill in the art to modify Komeno with Yanagihara by using a converter with the apparatus of Komeno for converting the MPEG- PS to a MPEG- TS and transferred the MPEG- TS and subpicture data via isochronous channel thereby enhancing the capacity and function of the apparatus to changing the format of the reproduced data when required by the processing device (TV device).

Komeno as modified with Yanagihara further teaches using a first type transfer mechanism (isochronous transfer mechanism) for transferring the TS stream (See Yanagihara, Fig.5) but fails to teach using a second type transfer mechanism (asynchronous transfer mechanism) for transferring bitmap stream. Stahl teaches using a first type mechanism and a second type transfer mechanism for transferring the content stream data and bitmap stream from a player to a TV (Fig. 4, column 8, lines 1-15).

It would have been obvious to one of ordinary skill in the art to modify Komeno as modified with Yanagihara with Stahl by providing the apparatus of Komeno as modified with Yanagihara with a second type mechanism as taught by Stahl for transferring bitmap stream from the disc player respectively thereby reducing a amount of processing performed by the disc player.

Regarding claims 7 and 11, Komeno further teaches updating the subpicture data since the subpicture data comprises the subtitle and information related to the program can be generated under controlling by the user (See Stahl, column 8, lines 25-65).

Regarding claim 12, Komeno as modified with Stahl and Yanagihara further teaches using a 1334 bus having isochronous and asynchronous mechanisms for transferring the program content and bit map subpicture data (See Stahl column 2, lines 60 to column 3, line 11, column 8, lines 1-15, Yanagihara (Fig. 5) .

### ***Response to Arguments***

4. Applicant's arguments filed June 13, 2005 have been fully considered but they are not persuasive.

Applicant argues that Komeno does not teach that the subpicture is associated with the video content . In response , the examiner disagrees . It is noted that Komeno teaches the subpicture (menu ) is associated with the video content . See Komeno column 2, lines 55-57, column 4, lines 1-10, column 5, lines 60-65)

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY T. NGUYEN whose telephone number is (571) 272-7378. The examiner can normally be reached on 8:30AM -6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HUY T. NGUYEN  
PRIMARY EXAMINER